

NOTICE OF MEETING AND AGENDA (SUPPLEMENT 2)
Naples City Council
City Council Chamber, 735 8th Street South, Naples, Florida
Mayor: Teresa Heitmann
Vice Mayor: Terry Hutchison
City Council Members:

Ted Blankenship, Ray Christman, Mike McCabe, Paul Perry, Gary Price
City Attorney: James Fox • City Clerk: Patricia Rambosk • City Manager: Charles Chapman

Accommodation will be made to allow public comment during the meeting while maintaining social distancing.

Welcome to today's City Council meeting. If you wish to address the Council regarding an item listed on this agenda, please complete a registration form at the rear of the room and place it in the Speaker Request Box located on the Council dais prior to consideration of that item. We ask that speakers limit their comments to 3 minutes and that large groups name a spokesperson whenever possible. Thank you for your interest and participation in City government.

City Council Regular Meeting
Wednesday, September 2, 2020
8:30 AM

All proposed ordinances and information on other items listed below, which have been provided in advance of this meeting, may be inspected in the office of the City Clerk, Room B, City Hall, or on the City of Naples home page <https://www.naplesgov.com/> or call the City Clerk's Office, 213-1015. All written, audio-visual and other materials presented to the City Council in conjunction with deliberations during this meeting will become the property of the City of Naples and will be retained by the City Clerk.

1. Roll call
2. Invocation and Pledge of Allegiance
3. Set agenda (add or remove items)
4. Public Comment

CONSENT AGENDA

NOTICE

FORMAL ACTION MAY BE TAKEN ON ANY ITEM DISCUSSED OR ADDED TO THIS AGENDA. ANY PERSON WHO DECIDES TO APPEAL ANY DECISION MADE BY THE CITY COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING (OR HEARING) WILL NEED A RECORD OF THE PROCEEDINGS AND MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE HEARD. ANY PERSON WITH A DISABILITY REQUIRING AUXILIARY AIDS AND SERVICES FOR THIS MEETING MAY CALL THE CITY CLERK'S OFFICE AT (239) 213-1015 WITH REQUESTS AT LEAST TWO BUSINESS DAYS BEFORE THE MEETING DATE.

5. City Clerk

- 5.A. Approval of the August 10, 2020 Workshop Meeting minutes.
Recommended Action: Approve as submitted.

[Agenda Memorandum](#)

[August 10, 2020 Workshop meeting minutes](#)

6. Community Services

6.A. SPECIAL EVENTS - REPEAT EVENTS

(1) The 11th Annual Stone Crab/Seafood Festival - 10/23/20, 10/24/20, 10/25/20 - Pinchers/Big C Events - Tin City; (2) The 2nd Annual Blues for the Blue Concert - 10/30/20 - The Robert L. Zore Foundation - Cambier Park Bandshell; (3) John Cox Halloween Private Party - 10/31/20 - 1040 13th Street North.

Recommended Action: Review and approve as submitted.

[Agenda Memorandum](#)

6.B. SPECIAL EVENTS - NEW EVENTS

(1) Fall Jazz Musical and Holiday Concert - Naples Players Inc - Cambier Park Bandshell - 10/8/20; 10/9/20; 10/10/20; 10/11/20; 10/14/20; 10/15/20; 10/16/20; 10/17/20 and 12/19/20; (2) Spring Musical Performance - Naples Players Inc - Baker Park - 2/24/21; 2/25/21; 2/26/21; 2/27/21; 2/28/21; 3/3/21; 3/4/21; 3/5/21; 3/6/21; 3/7/21; (3) Movie Nights - Bayfront - McQuaid Marketing & Promotions, Inc. - 10/10/20; 10/17/20; 11/14/20; 11/21/20; 12/12/20; 12/19/20; (4) The Nutcracker Ballet - The Naples Ballet Inc - Cambier Park Bandshell - 11/27/20 and 11/28/20.

Recommended Action: Approve the new special event requests as submitted

[Agenda Memorandum](#)

[Fall Musical and Holiday](#)

[Spring Musical Performance](#)

[Bayfront Movie Nights](#)

[Nutcracker](#)

- 6.C. Award of contract to Cintas Corporation No.2., of Fort Myers, FL for the monitoring, maintenance, and inspection of Fire Sprinkler Systems in the amount of \$120,000 (RFP 20-045) and authorizing the City Manager to execute the contract.

Recommended Action: Award the contract and authorize the City Manager to execute the contract.

[Agenda Memorandum](#)

[Agreement - Cintas Corporation No. 2](#)

[20-045 Bid Analysis](#)

- 6.D. Award of contract to F.A. Bartlett Tree Expert Company for the deep-root fertilization of Cuban Laurel (ficus), Banyan, and Foxtail palm trees throughout the City in the amount of \$67,726.00 and authorizing the City Manager to execute the contract.

Recommended Action: Award the contract and authorize the City Manager to execute the contract.

[Agenda Memorandum](#)
[Agreement - F.A. Bartlett Tree Expert Company](#)
[20-054 Bid Tabulation](#)
[20-054 Bid Analysis](#)

7. Streets & Stormwater

- 7.A. Resolution - Legislative - A RESOLUTION APPROVING A COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AGREEMENT BETWEEN COLLIER COUNTY AND THE CITY OF NAPLES FOR CROSSWALK IMPROVEMENTS; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Approve the resolution.

[Agenda Memorandum](#)
[Resolution](#)
[Agreement - City & County CDBG](#)
[Device Photo Locations](#)
[Specification Sheet](#)

8. Technology Services

- 8.A. Consider exercising the first option for telephone and internet services with T3 Communications.

Recommended Action: Exercise the first option.

[Agenda Memorandum](#)
[2018-00116 First Amendment - T3 Communications, Inc.](#)
[2017-00114 T3 Communications, Inc.](#)

END OF CONSENT AGENDA

9. Planning

- 9.A. 1. 19-V8 Resolution - Quasi-Judicial - A RESOLUTION RELATING TO A VARIANCE; DETERMINING PETITION 19-V8 FOR A VARIANCE FROM SECTION 44-8, DEFINITIONS, OF THE LAND DEVELOPMENT CODE OF THE CODE OF ORDINANCES, TO ALLOW FOR A RECOVERY RESIDENCE HOME TO HOUSE EIGHT (8) UNRELATED RESIDENTS IN ONE (1) HOME IN A SINGLE FAMILY RESIDENCE DISTRICT WHERE THERE IS A LIMIT OF FOUR (4) UNRELATED RESIDENTS IN ONE DWELLING UNIT ON PROPERTY ZONED R1-7.5 AND LOCATED AT 1361 5TH AVENUE NORTH, OWNED BY KIRK N. SANDERS REVOCABLE TRUST, MORE FULLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE. (RESCHEDULED TO 10:00 A.M. TIME CERTAIN)

OR

2. Resolution - Quasi-Judicial - A RESOLUTION RELATING TO A REQUEST FOR REASONABLE ACCOMMODATION TO ALLOW FOR A RECOVERY RESIDENCE

HOME TO HOUSE EIGHT (8) UNRELATED RESIDENTS IN ONE HOME IN A SINGLE FAMILY RESIDENCE DISTRICT WHERE THERE IS A LIMIT OF FOUR (4) UNRELATED RESIDENTS IN ONE DWELLING UNIT ON PROPERTY ZONED R1-7.5 LOCATED AT 1361 5TH AVENUE NORTH, OWNED BY KIRK N. SANDERS REVOCABLE TRUST, MORE FULLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

(RESCHEDULED TO 10:00 A.M. TIME CERTAIN)

Recommended Action: Consider approval of Resolution 1 or 2.

[Agenda Memorandum](#)

[Resolution 1](#)

[Resolution 2](#)

[Staff Report](#)

[Variance Application](#)

[Correspondence](#)

[Petitioner's Supplemental Materials 8-22-20](#)

[Email from Jeffery Lynne 2-13-20](#)

[Response from City Attorney - Nov 19, 2019](#)

[Letter to City Attorney - Nov 15, 2019](#)

[City Attorney Memorandum on Reasonable Accommodation - Nov 6, 2019](#)

[Reasonable Accommodation Request - Oct 1, 2019](#)

[Credentials - J. Lynne](#)

[Credentials - Collins](#)

[Credentials - Burrows](#)

[Credentials - Staff](#)

[February 21, 2020 DRAFT PAB Meeting Minutes](#)

[Labels](#)

- 9.B. 20-SD2 Resolution - Quasi-Judicial - A RESOLUTION RELATING TO A SUBDIVISION REPLAT; DETERMINING PETITION 20-SD2 FOR PRELIMINARY AND FINAL (RECORD) PLAT ACCEPTANCE AND APPROVAL, PURSUANT TO SECTION 54-4, FOR THE COMMONS LOT 2, A REPLAT OF A PORTION OF LOT 2 OF THE COMMONS PROFESSIONAL PARK ON PROPERTY CONTAINING APPROXIMATELY 4.45 ACRES OWNED BY COMMONAGE CORPORATION AND LOCATED AT 870 GOODLETTE-FRANK ROAD NORTH, MORE FULLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Approve the resolution.

[Agenda Memorandum](#)

[Resolution](#)

[Staff Report](#)

[Petition](#)

[Disclosure of Interest](#)

[Special Warranty Deed](#)

[Boundary Survey](#)

[Aerial Location Map](#)

[Lot 2 Replat](#)
[Expert Resume](#)
[Planning Staff Resumes](#)
[Mailing labels](#)

- 9.C. 20-ODPV5 Resolution - Quasi-Judicial - A RESOLUTION DETERMINING OUTDOOR DINING PETITION 20-ODPV5 TO ESTABLISH OUTDOOR DINING ON PRIVATE PROPERTY TO INCLUDE 15 TABLES AND 60 CHAIRS FOR DECANTER 41, INC D/B/A ESCARGOT 41 ON PROPERTY OWNED BY BRIXMOR PARK SHORE SC LLC AND LOCATED AT 4351 9TH STREET NORTH, MORE FULLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.
Recommended Action: Approve the resolution.

[Agenda Memorandum](#)
[Resolution](#)
[Sheet 5-A](#)
[Supplemental Memorandum](#)
[Petition](#)
[Disclosure of Interest](#)
[Plans](#)
[Cover Letter](#)
[Aerial](#)
[Proposed Table and Chairs](#)
[Planning Staff Resumes](#)
[Correspondence](#)
[Mailing Labels](#)

- 9.D. 20-ODPV6 Resolution - Quasi-Judicial - A RESOLUTION DETERMINING OUTDOOR DINING ON PRIVATE PROPERTY PETITION 20-ODPV6, PURSUANT TO SECTIONS 56-126 AND 46-43 OF THE CODE OF ORDINANCES TO ALLOW 16 TABLES, 70 SEATS, 6 BAR SEATS, 4 SPACE HEATERS, AND 2 RENSON AWNINGS IN ADDITION TO THE EXISTING 3 RENSON AWNINGS, OVER THE OUTDOOR DINING AREA ON THE WEST SIDE OF THE RESTAURANT; 3 TABLES AND 12 SEATS ON THE NORTH SIDE OF THE RESTAURANT; AND A SEATING AREA ON THE SOUTH SIDE OF THE RESTAURANT TO INCLUDE 1 TABLE AND 10 SEATS, 3 COFFEE TABLES, A FIRE PIT WITH 4 BENCHES, MODULAR BENCHES WITH TABLES ON THE PERIMETER, 2 UMBRELLAS, 6 PLANTERS, AND 2 SPACE HEATERS, FOR LAKE PARK DINER, ON PROPERTY OWNED BY MARKIT, LLC, AND LOCATED AT 944 7TH AVENUE NORTH, MORE FULLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.
Recommended Action: Approve the resolution.

[Agenda Memorandum](#)
[Resolution](#)
[Supplemental Memorandum](#)
[Application](#)
[Disclosure](#)
[MHK Plans](#)

Marcus Jelley Plan
Furniture Package
Civil Engineering Plan
Landscape Plans (large document)
Warranty Deed
Combined Correspondence
Additional Correspondence
Sunbiz Information
Petitioner Credentials
Planning Staff Resumes
Public Notice Labels

- 9.E. 20-R1 - Quasi-Judicial - AN ORDINANCE DETERMINING REZONE TO PLANNED DEVELOPMENT PETITION 20-R1, REZONING FROM PD PLANNED DEVELOPMENT TO AN AMENDED AND RESTATED PD PLANNED DEVELOPMENT TO AMEND THE NAPLES SQUARE PLANNED DEVELOPMENT (ORDINANCE #2016-13863) ON THE PROPERTY OWNED BY GULFSHORE PLAYHOUSE, INC., A FLORIDA NOT FOR PROFIT CORPORATION, AND WSR NAPLES SQUARE COMMERCIAL, LLC, A FLORIDA LIMITED LIABILITY COMPANY, LOCATED AT 1195 5TH AVENUE SOUTH, 402, 192, AND 100 GOODLETTE-FRANK ROAD, PARCEL 14240004027, AND 1170 1ST AVENUE SOUTH, ADOPTING THE PLANNED DEVELOPMENT DOCUMENT AS AMENDED HEREIN; AND PROVIDING A SEVERABILITY CLAUSE, A REPEALER PROVISION AND AN EFFECTIVE DATE. (RESCHEDULED TO 1:00 P.M. TIME CERTAIN)

Recommended Action: Approve the ordinance at First Reading; schedule Second Reading and Public Hearing September 16, 2020.

[Agenda Memorandum](#)

[Ordinance](#)

[PAB Staff Report](#)

[Rezone to PD Application - Revised Gulfshore Playhouse](#)

[Rezone to PD Application - Original Reviewed by PAB](#)

[Disclosures of Interest](#)

[Warranty Deeds](#)

[Survey - Gulfshore Playhouse Parcel](#)

[Development Plan - Gulfshore Playhouse portion of PD](#)

[Proposed PD Document - Gulfshore Playhouse](#)

[Proposed PD Document - Gulfshore Playhouse - Redline](#)

[Traffic Impact Study - Gulfshore Playhouse](#)

[Consolidated Site Plan - Reviewed by PAB](#)

[Credentials - Petitioner's Agents](#)

[Credentials - Planning Staff](#)

[Mailing Labels](#)

[Correspondence](#)

10. Finance

- 10.A. Resolution - Legislative - A RESOLUTION ADOPTING AN ANNUAL SPECIAL ASSESSMENT ROLL FOR THE FIFTH AVENUE SOUTH BUSINESS IMPROVEMENT DISTRICT FOR FISCAL YEAR 2020-21; PROVIDING THAT ASSESSMENTS CONSTITUTE A LIEN ON ASSESSED PROPERTY UPON ADOPTION OF THE ASSESSMENT ROLL; DIRECTING THE CITY CLERK TO RECORD THE ASSESSMENT ROLL; AND PROVIDING AN EFFECTIVE DATE.
Recommended Action: Approve the Resolution.
[Agenda Memorandum](#)
[Resolution](#)
- 10.B. Resolution - Legislative - A RESOLUTION OF THE CITY COUNCIL OF NAPLES, FLORIDA, APPROVING THE FISCAL YEAR 2020-21 NON-AD VALOREM ASSESSMENT ROLL FOR THE AQUALANE SHORES UTILITY LINE EXTENSION ASSESSMENT AREA; DIRECTING CERTIFICATION OF THE ASSESSMENT ROLL TO THE COLLIER COUNTY TAX COLLECTOR; AND PROVIDING AN EFFECTIVE DATE.
Recommended Action: Approve the Resolution.
[Agenda Memorandum](#)
[Resolution](#)
- 10.C. Resolution - Legislative - A RESOLUTION OF THE CITY COUNCIL OF NAPLES, FLORIDA, APPROVING THE FISCAL YEAR 2020-21 NON-AD VALOREM ASSESSMENT ROLL FOR THE BEMBURY ASSESSMENT AREA LOCATED WITHIN THE CITY'S UTILITY SERVICE AREA; DIRECTING CERTIFICATION OF THE ASSESSMENT ROLL TO THE COLLIER COUNTY TAX COLLECTOR; AND PROVIDING AN EFFECTIVE DATE.
Recommended Action: Approve the Resolution.
[Agenda Memorandum](#)
[Resolution](#)
- 10.D. Resolution - Legislative - A RESOLUTION OF THE CITY COUNCIL OF NAPLES, FLORIDA, APPROVING THE FISCAL YEAR 2020-21 NON-AD VALOREM ASSESSMENT ROLL FOR THE GULF ACRES/ROSEMARY HEIGHTS ASSESSMENT AREA LOCATED WITHIN THE CITY'S UTILITY SERVICE AREA; DIRECTING CERTIFICATION OF THE ASSESSMENT ROLL TO THE COLLIER COUNTY TAX COLLECTOR; AND PROVIDING AN EFFECTIVE DATE.
Recommended Action: Approve the Resolution.
[Agenda Memorandum](#)
[Resolution](#)

11. City Manager

- 11.A. Discussion regarding the Alternative Proposal received from Woods, Weidenmiller, Michetti & Rudnick, LLP, for the City Attorney Services - RFP 20-011.
Recommended Action: Reject the proposal.
[Agenda Memorandum](#)
[August 19, 2020 Agenda Memorandum re: RFP 20-011](#)

12. Utilities

- 12.A. Award a contract to Douglas N. Higgins, Inc. in the amount of \$991,340 for sewer pump station improvements and permanent installation of emergency by-pass pumps at seven (7) sewer pump stations and authorize the City Manager to execute the contract.

Recommended Action: Award the contract and authorize the City Manager to execute.

[Agenda Memorandum](#)

[Agreement - Higgins](#)

[Bid Analysis](#)

13. Human Resources / Risk Management

- 13.A. Resolution - Legislative - A RESOLUTION AUTHORIZING CLAIMS FUNDING AND PAYMENT OF SERVICE FEES AND STOP LOSS INSURANCE PREMIUMS FOR GROUP MEDICAL AND PRESCRIPTION INSURANCE TO CIGNA HEALTH AND LIFE INSURANCE COMPANY; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Approve the resolution.

[Agenda Memorandum](#)

[Resolution](#)

[FY2021 Cigna Renewal Evaluation with 2 Stop Loss Alternatives](#)

14. Streets & Stormwater

- 14.A. Resolution - Legislative - A RESOLUTION RELATING TO PLACEMENT OF ELECTRIC UTILITY FACILITIES UNDERGROUND IN THE SEAGATE ASSESSMENT DISTRICT AREA; APPROVING AN AGREEMENT BETWEEN FLORIDA POWER & LIGHT COMPANY (FPL) AND THE CITY OF NAPLES FOR PLACEMENT OF ELECTRIC UTILITY FACILITIES UNDERGROUND; AUTHORIZING STAFF TO PROCEED WITH COORDINATING WITH FPL THROUGH THE RIGHT-OF-WAY (ROW) PERMITTING PROCESS ON A DESIGN, AND TO BRING THE FINAL AGREEMENT BACK TO CITY COUNCIL; AND PROVIDING AN EFFECTIVE DATE.

Recommended Action: Approve the resolution.

[Agenda Memorandum](#)

[Resolution](#)

[Agreement - FPL & City](#)

[Attachment #1 - Project Cost Estimate](#)

[Attachment #2 - Project Description & Ballot](#)

[Project Location Map](#)

[Resolution 2018-14093](#)

[Resolution 08-12256](#)

15. City Attorney

- 15.A. Review of State of Local Emergency Resolution.

Recommended Action: Discussion and direction.

[Agenda Memorandum](#)

[Resolution 2020-14473](#)

- 15.B. Discussion and vote of whether to authorize the City Attorney's Office to hire outside counsel for a project requiring special expertise related to the Naples Beach Hotel golf course.

Recommended Action: Discussion and direction.

[Agenda Memorandum](#)

[Proposed Fee Agreement](#)

- 15.C. Request for Executive Sessions to be held during the September 17, 2020 Special City Council Meeting to discuss pending litigation cases 2:19-cv-305-FtM-29MRM; and 2018-CA-OO1255. (SUPPLEMENT 2 / ADDED ITEM)

Recommended Action: Approve requests.

[Agenda Memorandum](#)

[Request by City Attorney](#)

- 15.D. Review of the Sunshine Law, Quasi-Judicial proceedings, and Public Records law. (SUPPLEMENT 2 / ADDED ITEM)

Recommended Action: Schedule a half day meeting for discussion, encouraging all City board and committee members to attend.

[Agenda Memorandum](#)

Public Comment

Correspondence and Communications

Adjourn